

Robbins Geller Rudman & Dowd LLP

Atlanta
Boca Raton
Chicago

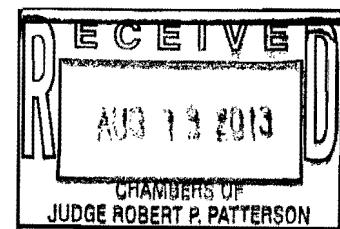
Melville
New York
Philadelphia

San Diego
San Francisco
Washington, DC

David A. Rosenfeld
drosenfeld@rgrdlaw.com

MEMO ENDORSED

August 13, 2013



VIA FACSIMILE

Honorable Robert P. Patterson
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Clark v. Barrick Gold Corp., et al.*,
No. 1:13-cv-03851-RPP, and all related actions

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 8/14/13
DATE FILED: 8/14/13

Dear Judge Patterson:

We represent Lead Plaintiff movant Central States, Southeast and Southwest Areas Pension Fund ("Central States"), and write to respectfully request that the Court vacate its Order dated August 12, 2013, in which it consolidated the above-referenced related actions, appointed Union Asset Management Holding AG and LRI Invest S.A. (together, the "Institutional Investor Group") as Lead Plaintiff, and approved of its selection of counsel as Lead Counsel.

By way of background, these actions, which assert violations of the federal securities laws, are governed by the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4, *et seq.* (the "PSLRA"). In accordance with the PSLRA, plaintiff in the first-filed action published a notice of pendency of its action on June 6, 2013, informing putative class members, among other things, of their right to file a motion seeking appointment as Lead Plaintiff by August 5, 2013.

On August 5, 2013, motions for consolidation of the related actions and appointment of Lead Plaintiff and approval of selection of Lead Counsel were filed by: (i) Central States; (ii) the Institutional Investor Group; (iii) International Painters and Allied Trades Industry Pension Fund, Rhondda Cynon Taf Pension Fund and Pension Fund and Treasury of Surrey; (iv) Retail Wholesale & Department Store Union Local 338 Pension Fund; (v) Lewis S. and Patricia E. Clark; and (vi) James Duncan.

Pursuant to Local Rule 6.1(b) of this Court, memoranda in opposition to these motions are scheduled to be filed by August 22, 2013, with replies to be filed by September 3, 2013. *On August 12, 2013, application for consolidation was granted. The order states that the motions for consolidation and opposition are to be filed on September 3, 2013.*

✓ to vacate. A memorandum on opposition see D to file by 8/22/13 and replies by September 3, 2013.

See attached typewritten
Memo Endorsement

Melville, NY 11747 Tel 631 367 7100

Fax 631 367 1173 www.rgrdlaw.com

8/13/13 08:22 115

**Robbins Geller
Rudman & Dowd LLP**

Hon. Robert P. Patterson

August 13, 2013

Page 2

22, 2013, Central States intends to file a brief in further support of its motion and in opposition to the other motions, demonstrating that it is the "most adequate plaintiff" since it is the only *bona fide* investor that represents the largest financial interest in this litigation and otherwise satisfies the requirements of Federal Rule of Civil Procedure 23.

In light of the foregoing, Central States respectfully requests that the Court vacate its Order dated August 12, 2013 so that all investors seeking to be appointed Lead Plaintiff can properly and timely respond to the pending motions.

Respectfully submitted,



DAVID A. ROSENFELD

DAR:pw

cc: Counsel of record (via email)

Case: Clark v. Barrick Gold Corp. et al.
Index No.: 13 Civ. 0385 (RPP)

MEMO ENDORSEMENT READS:

Application granted.

The order dated August 12, 2013 is vacated. Memoranda in opposition are to be filed 8/22/13 and relies by September 3, 2013.

So Ordered.

Robert P. Patterson, Jr., U.S.D.J., 8/13/13